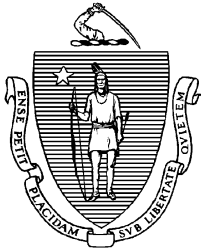


### Representative <<Hynes>> of <<Marshfield>>

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill or resolve.

[illegible]



# The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND FIVE

## AN ACT PROVIDING FOR PAYMENTS TO PERSONS WRONGLY INCARCERATED.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

<<SECTION 1. Chapter 258 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by adding at the end thereof the following new section:—

Section 14. If it is proven that the crime for which a person was incarcerated was not committed at all, or, if committed, was not committed by such person and that such person did not, by any act or omission, either intentionally or negligently, contribute to his arrest or conviction and incarceration, and that he has sustained pecuniary injury through such erroneous conviction and incarceration, the department of correction shall report the facts of the matter and its conclusions to the governor with a recommendation that an appropriation be made for the purpose of indemnifying such person; provided, however, the amount of the recommended appropriation shall be equal to \$100 for each day of incarceration. Said payment shall not be considered income for the purposes of chapter 62.>>